

EXHIBIT 83

11/6/2024

Richard Kadrey, et al. v. Meta Platforms, Inc.
Highly Confidential - Attorneys' Eyes Only

Sergey Edunov

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RICHARD KADREY, et al.,)
)
Individual and)
Representative)
Plaintiffs,)
)
v.) Case No. 3:23-cv-03417-VC
)
META PLATFORMS, INC.,)
)
Defendant.)
_____)

** HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY **

Videotaped Deposition of SERGEY EDUNOV

San Francisco, California

Wednesday, November 6, 2024

Reported Stenographically by
Michael P. Hensley, RDR, CSR No. 14114

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1 used in training for Llama 3?

2 ATTORNEY MORTON: Object to form.

3 THE WITNESS: Similarly, I don't remember
4 the circumstances.

5 BY ATTORNEY STEIN:

6 Q. Okay. Do you know who at Meta might know
7 the answer to that question?

8 ATTORNEY MORTON: Object to form.

9 THE WITNESS: The closest person I could
10 think of is Todor.

11 BY ATTORNEY STEIN:

12 Q. Was Todor responsible for finding data for
13 pretraining?

14 ATTORNEY MORTON: Object to form.

15 THE WITNESS: I don't know what "finding"
16 means in this context again. Todor was responsible
17 for preparing the data for pretraining.

18 BY ATTORNEY STEIN:

19 Q. Did you know that LibGen had copyrighted
20 books in there?

21 ATTORNEY MORTON: Object to form.

22 THE WITNESS: Did I know?

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1 BY ATTORNEY STEIN:

2 Q. That LibGen contained copyrighted books.

3 A. I heard about it.

4 Q. How did you hear about it?

5 A. I don't remember specifically. Could have
6 been online or some conversation.7 Q. Can you provide us any details with how
8 you knew that LibGen contained copyrighted
9 materials?

10 ATTORNEY MORTON: Object to form.

11 THE WITNESS: I just don't remember.

12 BY ATTORNEY STEIN:

13 Q. Did you know that Books3 contained
14 copyrighted materials?

15 A. No.

16 Q. Was there any discussion on your team
17 about the fact that LibGen contained copyrighted
18 materials?

19 A. Nothing that I could recall.

20 Q. Do you recall hearing the term "fair use"?

21 A. Yeah.

22 Q. What does "fair use" mean to you?

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1 ATTORNEY MORTON: Objection. I'm going to
2 caution the witness. To the extent your
3 understanding of "fair use" would come from an
4 attorney-client communication, caution you not to
5 reveal that. If you have an understanding separate
6 from that, you can discuss it.

7 THE WITNESS: Yeah, my personal
8 understanding of fair use is -- I'll give an
9 example.

10 If I read a book myself or see a piece of
11 art, and I decide to write my own book or produce my
12 own piece of art, I -- I am inspired by what I've
13 read or saw, is a fair use of the content for me to
14 do so.

15 BY ATTORNEY STEIN:

16 Q. Are you familiar with the term "fair use
17 dataset"?

18 A. Fair use dataset, no, I'm not familiar
19 with this term.

20 Q. Was it your understanding that pretraining
21 Llama 3 on LibGen was fair use?

22 ATTORNEY MORTON: Objection.

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CERTIFICATE OF SHORTHAND REPORTER

2

3 I, Michael P. Hensley, Registered Diplomate
4 Reporter for the State of California, CSR No. 14114,
5 the officer before whom the foregoing deposition was
6 taken, do hereby certify that the foregoing
7 transcript is a true and correct record of the
8 testimony given; that said testimony was taken by me
9 stenographically and thereafter reduced to
10 typewriting under my direction; that reading and
11 signing was requested; and that I am neither counsel
12 for, related to, nor employed by any of the parties
13 to this case and have no interest, financial or
14 otherwise, in its outcome.

15

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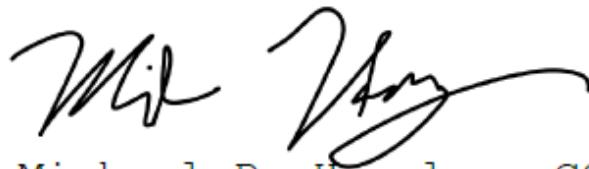
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Michael P. Hensley, CSR, RDR